

To: Governors' Broadband Advisors

From: National Governors Association Center for Best Practices

Re: State Broadband Offices and Task Forces

Date: June 2021

# **Purpose**

To provide guidance on effective state broadband governance for expansion and affordability. Included in this memo are examples and best practices on the formation of broadband offices, initiatives, and/or task forces focused on expanding broadband access and the enabling executive orders and legislation.

# **Background**

As outlined in the recent NGA report, <u>Governors Strategies to Expand Affordable Broadband Access</u>, every state governs, creates, or communicates broadband policy through either a dedicated broadband office or designated staff within other agencies. However, these governance structures vary by state both in structure and size. At least 20 states and territories have established dedicated broadband offices through executive action or legislation. In addition to dedicated broadband offices, Governors have also taken an active role in creating cross-cutting governance bodies, such as state broadband task forces, advisory councils, and working groups. Each of these bodies has historically played critical roles in Governors' strategies to expand broadband.

# **Key Takeaways**

Broadband offices and broadband advisory groups can be powerful tools for Governors to advance broadband policy priorities. While many existing broadband offices now have legislative frameworks, several originated via Governors' executive orders, or as a result of a Governors' budget or legislative proposals. Dedicated state and territory broadband offices provide a centralized resource for:

- Implementing Governors' broadband policies and strategies;
- Creating statewide strategy documents with condition assessments, priorities, goals, and policy recommendations;
- Serving as a centralized point of coordination for other state agencies/offices, local governments, and stakeholders;
- Advancing and publicizing digital inclusion and digital literacy efforts, including affordable offerings and assistance programs;
- Mapping available broadband infrastructure and speeds within the state or territory at the address or community level; and
- Managing grant and loan programs, as well as coordinating federal resources.

In addition to dedicated broadband offices, states have utilized an array of broadband advisory councils and task forces to engage with stakeholders and align efforts across state agencies. Notably, Governor-initiated broadband task forces have often had a symbiotic relationship with broadband offices, including helping to pave the way for Governors to establish more <u>permanent state staffing or offices</u> and providing ongoing recommendations and feedback. The activities and structures of both broadband task forces and state broadband offices are described below.

# **State and Territory Broadband Offices**

"A dedicated state-level government office, staffed with individuals who understand broadband issues, can be a powerful tool for creating connections and sharing information among state agencies, broadband service providers, and other stakeholders." - <u>Pell Center</u>

In the past ten years, states and territories have increasingly sought to establish dedicated broadband offices to advance connectivity goals. The duties of these offices typically cover a variety of areas, including:

- Implementing Governors' broadband policies and strategies;
- Creating statewide strategy documents with condition assessments, priorities, goals, and policy recommendations;
- Serving as a centralized point of coordination for other state agencies/offices, local governments, and stakeholders;
- Advancing and publicizing digital inclusion and digital literacy efforts, including affordable offerings and assistance programs;
- Mapping available broadband infrastructure and speeds within the state or territory at the address or community level; and
- Managing grant and loan programs, as well as coordinating federal resources.

The structure and staffing of state and territory broadband offices varies, with some operating as independent agencies, as incorporated agencies within relevant departments (public works, economic development, information technology, housing, etc.), or as public-private entities. Broadband offices also frequently enter partnerships with fellow agencies, non-profits, and contractors for the administration of grant funding, data collection, and assistance programs.

Historically, broadband offices have been formed as a result of Governors' executive orders or through legislation. The parameters in these governing documents can include guiding missions and policy objectives, staffing requirements, requirements around the administration of grant funding programs, and reporting mechanisms (i.e., annually published reports, assessments, and strategy documents).

### **Structure and Staffing of Select Broadband Offices**

State	Staffing	Description	Staffing Organization
Arkansas	2	Arkansas Department of Commerce Broadband Office The Arkansas Broadband Office is located within the Arkansas Department of Commerce division of the Arkansas Economic Development Commission. The Office manages the Arkansas Rural Connect (ARC) Broadband Grant Program.	Arkansas Department of Commerce Broadband Office
California	25+	California Office of Broadband and Digital Literacy The California Office of Broadband and Digital Literacy, within the Department of Technology, manages the statewide ecosystem of individuals and organizations dedicated to closing the digital divide, including the state's broadband council. The Office runs a 12-member California Broadband Council (CBC) which was established by SB 1462 (Chapter 338, Statutes of 2010) to	California Office of Broadband & Digital Literacy      Deputy Director     Manager for Broadband     and Digital Literacy and     Legislation     Information Technology

promote broadband deployment in unserved and underserved areas of the state as defined by the Public Utilities Commission and broadband adoption throughout the state. The Council identifies state resources, encourages public and private partnerships, and recommends strategic policy to establish effective structures for providing world-class, high-speed internet access throughout California.

#### California Public Utilities Commission

With five Governor-appointed Commissioners, the California Public Utilities Commission regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies, in addition to authorizing video franchises. The Commission oversees the state's universal service funds and allocates broadband grants through the state's California Advanced Services Fund.

#### Manager

## California Broadband Council

• 12 intergovernmental council members, including agency directors, Governor's advisors, and members of the legislature

## <u>California Public Utilities</u> Commission

- Five Commission Members
- Executive Office Director and Deputy
- Communications Division Director
- Policy Advisors
- Four Division Branches: Tribal/Rural, Carrier Oversight & Programs, Consumer Programs, Broadband, Video & Market

# Colorado 5+ Colorado Broadband Office

Officially founded in 2016, the Colorado Broadband Office is housed within the Governor's Office of Information Technology (OIT) and leads a statewide effort to expand broadband coverage and quality for all Coloradans. In 2012, former Colorado Governor John Hickenlooper issued Executive Order D 2012-037 charging the OIT to "...oversee and coordinate broadband activity across State agencies."

On October 30, 2020, Governor Jared Polis signed an Executive Order creating a Broadband Advisory Board (BAB) within OIT to focus on collaboration and coordination of broadband efforts for Colorado, and to partner with the Office of the Future of Work (OFOW) to provide regular updates to the board on digital inclusion and literacy.

In 2021, Governor Polis proposed to codify the Colorado Broadband Office, as reflected in HB 21-1289. The legislation states "that it is important to create the Colorado Broadband Office to serve as a central governmental entity to plan and coordinate with other state, public, and private entities and citizens throughout the state to develop and implement statewide broadband deployment and access strategies and programs that seek to advance the [state's policy] goals." The codifying legislation also requires the state's Chief Information Officer to appoint a director of the Broadband Office to ultimately establish

## Colorado Broadband Office:

- Executive Director
- Broadband Data & Communications Manager
- Broadband Project Manager
- Director of Federal Broadband Engagement
- Public Safety
   Engagement &
   Technology Innovation
   Manager

## <u>Department of Regulatory</u> Agencies:

- Broadband Deployment Director
- Grant Specialist

# Department of Local Affairs:

- Regional Manager
- Funds two TA specialists (not DOLA staff)

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		a new broadband inclusion grant program, a broadband stimulus grant program, and an interconnectivity grant program for projects seeking regional broadband deployment and interconnection between communities.	
Connecticut	1+	Office of State Broadband The Office of State Broadband is created by statute and is housed within the Connecticut Office of Consumer Counsel. The statute states "the Office of State Broadband shall work to facilitate the availability of broadband access to every state citizen and to increase access to and the adoption of ultra-high-speed gigabit-capable broadband networks. The Office of Consumer Counsel may work in collaboration with public and nonprofit entities and state agencies, and may provide advisory assistance to municipalities, local authorities, and private corporations to maximize opportunities for the expansion of broadband access in the state and fostering innovative approaches to broadband in the state, including the procurement of grants for such purpose. The Office of State Broadband shall include a Broadband Policy Coordinator and such other staff as the Consumer Counsel deems necessary to perform the duties of the Office of State Broadband."	● Broadband Policy Coordinator
Georgia	3	Georgia Broadband Deployment Initiative The Georgia Department of Community Affairs and the Georgia Technology Authority have formed a five-agency team to coordinate and collaborate with stakeholder representatives from providers and local governments in thirteen projects that comprise the current implementation of the Georgia Broadband Deployment Initiative (GBDI). The five agencies, also known as the Inter- Agency Team, are comprised of the Department of Community Affairs (DCA), Georgia Technology Authority (GTA), Department of Economic Development (DEcD), State Properties Commission (SPC), and Georgia Department of Transportation (GDOT). After forming, the Inter-Agency Team implemented a governance framework to provide overall communication and project management coordination. The governance structure engages the stakeholders and leverages their expertise while balancing a variety of interests. It offers stakeholders a voice for participation and feedback on the methods, processes, and regulations to improve broadband services in unserved Georgia.	Georgia Broadband Deployment Initiative:      Executive Director     Program Consultant (2)
Illinois	8	Illinois Office of Broadband Created in September 2019, the Office of Broadband is housed within the Illinois Department of Commerce and Economic Opportunity. As a primary charge, the Office is responsible for administering the Connect Illinois broadband infrastructure grant program. In addition, the Office has developed related programming in the areas of community planning and capacity building and digital literacy, adoption, and inclusion.  Beyond the administration of grants and programming, the Office has forged strategic partnerships throughout Illinois and beyond. These partners include: Benton Institute for Broadband & Society,	Illinois Office of Broadband:

Maine	2	Illinois Innovation Network, and University of Illinois Extension Services; and National Digital Inclusion Alliance and PCs for People. In addition, the Office works closely with other state agencies, such as the Department of Innovation & Technology, the Department of Transportation, and the State Board of Education.  ConnectME Authority  The ConnectME Authority is an independent agency within the state with supporting staff from the Department of Economic and Community Development. The ConnectMaine Authority is governed by a board consisting of seven voting members.  Originally established in 2006 ConnectMaine is authorized by Statute 35-A M.R.S.A. Ch. 93 and Rule Ch. 101.	ConnectMaine Authority:  • Executive Director  • Assistant Director
Minnesota	4	Office of Broadband Development  Border-to-border, high-speed internet access is the goal throughout Minnesota. The Office of Broadband Development connects communities, policy-makers, providers, regional support organizations, and state and federal programs with each other and the resources they need to improve broadband access and use in Minnesota. Housed within the state's Department of Employment and Economic Development, the Office oversees the Border-to-Border Broadband Infrastructure grant program, the state's broadband mapping efforts, and supports the Governor's Task Force on Broadband.	Office of Broadband Development:
North Carolina	9	Broadband Infrastructure Office The N.C. Department of Information Technology's Broadband Infrastructure Office serves as a statewide resource for broadband access, first-responder communications, and classroom connectivity initiatives led by the state of North Carolina. This Office was established by North Carolina's chief information officer in 2015.  The Office's mission includes:  Creating the nation's first giga-state; Expanding broadband access to underserved communities Supporting digital learning by extending Wi-Fi access to every classroom in the state; and Providing policy recommendations and guidance to government leaders and key stakeholders to foster digital infrastructure expansion, adoption, and use	Broadband Infrastructure Office:      Executive Director     Assistant Director     FirstNet Director     Research and Policy     Specialist     Digital Inclusion     Librarian     Technical Assistance     Specialist (4)
Rhode Island*	#	Rhode Island Office of Innovation *Rhode Island is in the process of transitioning the broadband office from the RI Office of Innovation to RI Commerce or an equivalent agency.  Currently, the state has no dedicated staffing in a broadband office. Previously, The Rhode Island Office of Innovation managed the state's Connect RI program, a digital equity initiative. The program is operated in partnership with EveryoneOn and ConnectHome (a national nonprofit), Rhode	Rhode Island Office of Innovation (Previous)  Director Innovation League Fellow Program Evaluation Fellow Regional Manager Broadband Fellow

Tennessee	2	Island Housing Authority, Providence Housing Authority, and Providence Public Library aimed at eliminating the digital divide and connecting all Rhode Islanders to high-speed broadband in their home.  Tennessee Broadband Initiative The Tennessee Broadband Initiative is housed within the Department of Economic and Community Development. The Initiative operates the Tennessee Broadband Accessibility Grant program for providers, awards grants for Digital Inclusion to Tennessee State libraries, organizes broadband resources for communities, and manages the state's broadband mapping efforts.	Department of Economic and Community Development:      Broadband Director     Broadband Grants     Manager
Virginia	10+	Commonwealth Connect Virginia Telecommunication Initiative The Office of Broadband is housed within the state's Department of Housing and Community Development (DHCD). The Office assists communities with broadband planning efforts, provides technical assistance on accessing tribal, state, and federal broadband resources and staff support for the Broadband Advisory Council, manages the state's last-mile broadband deployment program (Virginia Telecommunication Initiative (VATI) Program), and provides oversight of the state broadband map in partnership with the Virginia Tech, Center for Geospatial Information Technology (CGIT). The state-sponsored broadband planning technical assistance to localities was transferred in 2020 from the Center for Innovative Technology (CIT) to DHCD to better streamline the state's broadband efforts.	Department of Housing and Community Development:
Washington	7+	Washington State Broadband Office The Washington State Broadband Office was created by 2019 Second Substitute Senate Bill 5511 (2SSB 5511), which established the Office's key mandate: to have high-speed internet access for all by 2024 and 150Mbps symmetrical services by 2028. The Office is housed in the Washington State Department of Commerce. Per the founding legislation, the Director of the Office must be appointed by the Governor, and the Office may employ staff necessary to carry out the Office's duties as prescribed.	Washington State Broadband Office      Director     Digital Equity Manager     Management Analyst     Planning and Funding     Manager     Commerce Specialist (2)     Broadband Digital     Equity Specialist
Wisconsin	4	Wisconsin Broadband Office The mission of the Wisconsin Broadband Office (WBO) is to make high-performance broadband more accessible, resilient, competitive, and affordable in Wisconsin. Since 2009, the WBO has been collecting and mapping broadband coverage information for improved planning purposes. As part of the Public Service Commission of Wisconsin, the WBO serves as the leader and coordinator of broadband goals, data, and strategies across the	Wisconsin Broadband Office:      Executive Director     Director of Digital Access     Grant Manager     Broadband Mapping Coordinator

state. The Office's vision is for all Wisconsinites to have the information technology capacity needed to fully participate in society.

# State and Territory Broadband Task Forces

As of 2020, 27 states have utilized task forces, committees, or advisory councils to formulate broadband policy and identify barriers to deployment or adoption. These task forces typically incorporate multiple sectors and/or cut across agencies and jurisdictions, creating a vital platform to convene stakeholders and foster interagency collaboration. To date, the most effective broadband task forces have had some or all of the following characteristics proscribed in their formative executive orders or legislation:

- Membership includes representatives from multiple sectors, such as service providers, community organizations, health care entities, educational institutions (libraries, K-12, and higher education), tribal interests, and key economic partners (business leaders, rural development, etc.);
- Similarly, effective interagency task forces include high ranking leadership from a wide variety of relevant agencies, including departments of transportation, education, agriculture, economic development, energy utilities, housing, and technology;
- Guiding documentation specifies formalized meeting requirements and/or meeting frequency requirements;
- Clear objectives and deliverables set by Governors or legislators, with direct reporting mechanism to the Governor's office;
- Acts as a unifying repository for all state-level broadband policy recommendations, external input, and stakeholder engagement; and
- Operates with dedicated staffing and budgetary support.

Notably, several Governor-initiated broadband task forces have also helped pave the way for Governors to establish more <u>permanent state broadband offices</u> through ongoing recommendations or assessment reports. As outlined above, dedicated state broadband offices are typically either organized within relevant departments or as stand-alone entities.

### **Select Examples of Broadband Task Forces**

Minnesota

In 2019, **Minnesota** Governor Tim Walz issued <u>Executive Order 19-10</u> continuing and updating the Governor's Task Force on Broadband that had been established by his predecessor, former Governor Dayton. The 2019 executive order outlined that the Task Force will consist of 15 Governor-appointed members, with the Governor designating one member to serve as chair of the task force. The Order outlines that membership must include a broad spectrum of interests, including "residential and business consumers, local governments, libraries, K-12 and higher education institutions, tribal interests, healthcare, broadband providers, economic development, agriculture, rural development, workforce development, and labor interests."

The Task Force is charged with creating an annual report to be issued by December 31 each year, which must include an inventory and assessment of the following areas:

- The needs, barriers, issues, and goals for broadband access;
- The needs and use of broadband in Minnesota's education systems, health care system, agriculture and energy sectors, industries and businesses, libraries, governmental operations, federally designated tribal nations, public safety, and other key economic sectors;

- Digital inclusion definitions, along with benefits, needs, and strategies for addressing identified gaps;
- Broadband availability and accessibility for unserved and underserved populations;
- Advances in technologies used to deploy services;
- Opportunities to coordinate with federal, state, and local agencies; and
- A review of the continued adequacy and appropriateness of the existing statutory broadband goals.

#### Texas

The Governor's Broadband Development Council (GBDC) was established in 2019 by the 86th Legislative Session. By statute, the council includes 17 Governor-appointed members with representatives from hospitals, the health information technology industry, non-profit aging advocates, non-profit rural broadband advocates, agriculture, county and city officials, educational institutions, and state legislators. The Council convenes at least quarterly and receives administrative support from the Office of the Governor. The Council submits an annual report to the Governor and state legislature and is tasked with tracking progress on broadband development in unserved areas, identifying barriers to residential and commercial deployment, studying technology solutions, and analyzing the benefits of statewide broadband access across multiple areas.

#### North Carolina

In 2019, **North Carolina** Governor Roy Cooper issued <u>Executive Order 19-91</u>, establishing the state's Broadband Task Force. The task force is comprised of relevant department secretaries (or their designees), including the departments of Information Technology, Health and Human Services, Commerce, Administration, Public Safety, Transportation, Natural and Cultural Resources, and the Office of State Budget and Management. The task force meets a minimum of once per month, receives administrative and staff support from the Governor's office, and has the following proscribed duties:

- Prepare and submit reports to the Governor, assessing progress on the state's broadband plan, and identifying new opportunities and recommendations for new priorities;
- Coordinate efforts for federal funding opportunities;
- Support residents, businesses, and government entities seeking federal funding;
- Provide recommendations on streamlining state processes, and reduce barriers for deployment; and
- Developing draft uniform contracts, applications, and/or permit templates to facilitate the use of the state's property or rights-of-way for broadband deployment.

The Executive Order, which established the interagency task force, also required the state's Department of Transportation and Department of Information Technology to develop and issue a uniform "Dig Once" policy to reduce repeat excavations on state road projects and develop similar model policies for county and municipal governments.

### California

While not established by a Governor's executive order but rather by the state's legislature in 2010, the <u>California Broadband Council</u> does provide a unique example for interagency coordination, stakeholder engagement, and policy prioritization. The 12-member Council includes the state's Public Utilities Commission, Transportation Agency, Office of Emergency Services, the Governor's Tribal Advisor, and the State Library system. The Council is staffed by the state's Broadband and Digital Literacy Office within the state's Department of Technology and is supported by an external advisory council, comprised of federal officials and relevant

stakeholders. The Council coordinates agency communications, along with federal and private funding opportunities, and identifies opportunities to maximize state assets and projects, including sharing facilities, rights-of-way, and other resources. The Council has utilized a variety of advisory councils and issue-oriented task forces, including on tribal needs, surplus equipment, state contracts, digital inclusion, aligning long-term goals, and funding.

#### Idaho

Established by Idaho Governor Brad Little through 2019 Executive Order 7, the Idaho Broadband Task Force consisted of senior interagency officials (Directors of the Departments of Commerce, Agriculture, Office of Emergency Management, and Office of Information Technology), state legislators, Idaho city, county, and tribal representatives, internet and electric service providers, and other industry representatives. The Task Force formed multiple issue-area committees (rural, urban, broadband office, mapping, universities, etc.), met four times throughout 2019, held additional committee meetings, and issued a comprehensive report with an inventory of ongoing developments and recommendations for improving the state's broadband plan. Included within the report was a recommendation to create an Office of Broadband within the Idaho Department of Commerce. In 2020, Governor Little acted on the Task Force's recommendation and proposed to establish a broadband office in his State of the State Address, and created it through appropriation in the state's FY21 budget. Further, in 2021, Governor Little signed legislation to establish an Idaho Broadband Advisory Board, which will create a statewide broadband plan and prioritize funding for state grants, including \$35 million for broadband infrastructure. The Advisory Board will consist of three members of the House of Representatives appointed by the Speaker of the House of Representatives, three members of the Senate appointed by the President Pro Tempore of the Senate, and three members of the public appointed by the Governor.

### **Additional Resources**

- The National Conference of State Legislatures <u>maintains a list</u> of active Broadband Task Forces, Commissions, and authorities (last updated June 2020, at the time of this publication).
- Pew Charitable Trust's 2020 report "How States Are Expanding Broadband Access" details policies and practices in California, Colorado, Maine, Minnesota, North Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.
- Pew also maintains a <u>sortable database</u> of state broadband policies, including definitions on speed and eligible uses, permitting regulations, funding and financing programs, and mapping efforts (last updated April 2021, at the time of this publication).
- The Benton Institute published a report on how states organize <u>rural-focused</u> broadband grant programs (June 2021).

NGA's broadband resources can be found at <u>NGA.org/Broadband</u>, including the 2020 report, "Governor Strategies To Expand Affordable Broadband Access"

For questions or requests related to the contents of this memo, please contact Tom Curtin (<u>tcurtin@nga.org</u>) or Dan Lauf (<u>dlauf@nga.org</u>).